

## PATIENTS' RIGHTS

**For the purpose of this brochure, "patient" refers to the patient, patient representative, or surrogate.**

A patient has the right to respectful, considerate, private, and dignified care given by competent personnel.

A patient has the right, upon request, to be given the name of his/her attending practitioner, the names of all other practitioners directly participating in his/her care, and the names and functions of other health care persons having direct contact with the patient.

A patient has the right to consideration of privacy concerning his own medical care program. Case discussion, consultation, examination, and treatment are considered confidential and shall be conducted discreetly.

A patient has the right to have records pertaining to his/her medical care treated as confidential, except as otherwise provided by law, or third-party contractual agreement.

A patient has the right to know what ambulatory surgery facility rules and regulations apply to his/her conduct as a patient.

A patient has the right to expect emergency procedures to be implemented without unnecessary delay.

A patient has the right to quality care and high professional standards that are continually maintained and reviewed in a safe setting free from all forms of abuse, neglect, and harassment.

A patient has the right to be given the opportunity to participate in planning their medical treatments and in decisions involving his/her health care

A patient has the right to full information in layman's terms, concerning diagnosis, evaluation, treatment, and prognosis, including information about alternative treatments and possible complications. When it is not medically advisable to give the information to the patient, the information shall be given on his behalf to the responsible person.

Except for emergencies, the practitioner shall obtain the necessary informed consent prior to the start of a procedure.

Informed consent is defined in Section 103 of the Health Care Services Malpractice Act (40 P. S. § 1301.103).

A patient, or, if the patient is unable to give informed consent, a person responsible for the patient, has the right to be advised when a practitioner is considering the patient as a part of a medical care research program or donor program, and the patient, or responsible person, shall give informed consent prior to actual participation in the program. A patient, or responsible person, may refuse to continue in a program to which he or she has previously given informed consent.

A patient has the right to refuse drugs or procedures, to the extent permitted by statute, and a practitioner shall inform the patient of the medical consequences of the patient's refusal of drugs or procedures.

A patient has the right to medical and nursing services without discrimination based upon age, race, color, religion, gender, national origin, handicap, disability, or source of payment.

A patient who does not speak English shall have access, when possible, to an interpreter.

A patient, upon request, shall have access to the information contained in his/her medical records at the ambulatory surgical facility, unless the attending practitioner for medical reasons specifically restricts access.

A patient has the right to expect good management techniques to be practiced within the ambulatory surgical facility. These techniques shall make effective use of the patient's time and shall avoid personal discomfort of the patient.

A patient has the right to be transferred to another facility when an emergency occurs and to have the responsible person notified. The facility to which the patient is transferred shall be notified prior to the patient's transfer.

A patient has the right to examine and receive a detailed explanation of his/her bill.

A patient has the right to expect that the ambulatory surgical facility will provide information for continuing health requirements following discharge and the means for meeting them.

A patient has the right to be informed of his/her rights, responsibilities, and expected conduct by the ambulatory surgical facility prior to admission.

A patient has the right to exercise his/her rights without being subjected to discrimination or reprisal.

A patient, if adjudged incompetent under applicable State laws by a court of proper jurisdiction, the rights of the patient are exercised by the person appointed under State law to act on the patient's behalf. If the State court has not adjudged a patient incompetent, any legal representative designated by the patient in accordance with State law may exercise the patient's rights to the extent allowed by State law.

A patient has the right to the opportunity to approve or refuse release of his/her medical care records prior to submission to any party, including third parties based on contractual arrangements, except as otherwise provided by law.

A patient has the right to be given the opportunity to participate in decisions involving his/her health care, except when such participation is contraindicated for medical reasons.

A patient has the right to be informed by their physician of their medication conditions unless medically contraindicated in their medical records.

A patient has the right to information on advance directives, as required by state or Federal law and regulations.

A patient who is blind or deaf shall have alternative communicative assistance available to them, if requested.

A patient has the right to information covering the services available at the ambulatory surgical facility, the fees related to those services, and the payment policies governing restitution for services rendered.

A patient has the right to information on the provision of after-hours and emergency services for care and treatment rendered at the ambulatory surgical facility.

A patient has the right to be provided, upon request, information pertaining to the process of credentialing of the practitioners rendering care and treatment at the ambulatory surgical facility.

A patient has the right not to be misled by the organization's marketing or advertising regarding their competence and capabilities.

A patient has the right to obtain the names, addresses, and telephone numbers from the Administrative Director, or designee, of the governmental offices where complaints may be lodged.

A patient has a right to obtain the names, addresses, and telephone numbers of the offices where information concerning Medicare and Medicaid coverage can be obtained.

A patient has the right to be informed of a physician's financial interest in and ownership of the facility in accordance with federal and state regulations.

A patient has the right to change their provider if other qualified providers are available.

A patient has the right, without recrimination, to voice comments, suggestions, complaints, and grievances regarding care; to have those complaints reviewed and when possible, resolved; and when not resolved, to obtain information regarding external appeals, as required by state and Federal law and regulations.

The patient may contact the following individual who serves as the Grievance Officer at the facility to express a complaint or grievance:

Melissa S. Gousse, Practice Administrator  
Compliant and Grievance Officer  
(207) 773-7964

You may contact the Maine Department of Health and Human Services by calling 207-287-3707 or by visiting the website at :

<https://www.maine.gov/dhhs/dlc/safety-reporting/file-a-complaint>.

Medicare beneficiaries may refer their complaints to the Office of the Medicare Beneficiary Ombudsman at: <https://www.cms.gov/center/special-topic/ombudsman/medicare-beneficiary-ombudsman-home>

## PATIENTS' RESPONSIBILITIES

A patient is responsible for providing complete and accurate information to the best of his/her ability about his/her health, any medications, including over the counter products and dietary supplements as well as any allergies or sensitivities and for following their physician's instructions and medical orders.

A patient is responsible for reporting whether he/she clearly comprehends a contemplated course of action and what is expected of them.

The ambulatory surgery facility expects that the patient will cooperate with all ambulatory surgery facility personnel and ask questions if directions and/or procedures are not clearly understood.

A patient is expected to be respectful of the property of other persons, the property of the ambulatory surgery facility, and to refrain from unacceptable behaviors that are disruptive to care or pose a threat to the rights and safety of other patients and staff. Failure to comply with the following unacceptable conduct guidelines may result in removal from the facility and/or discharge from the practice. The following behaviors are unacceptable conduct: undesirable or inappropriate language, failure to comply with treatment plan or payment policies, making verbal threats to harm any individual or Portland Gastroenterology as a whole.

A patient assumes financial responsibility of paying for all services rendered whether through third party payors (his/her insurance company) or being personally responsible for payment for any services which are not covered by his/her insurance policies.

A patient will inform his/her provider about any living will, medical power of attorney or other directive that could affect his/her care.

A patient will provide a responsible adult to transport his/her home from the facility and remain with his/her for 24 hours, if required by his/her provider.

The physicians and staff of Portland Gastroenterology Center are committed to serving their patients and families with the highest standards of care. We strive to continuously improve our standards through education and technology.

## PATIENTS' RIGHTS

## AND

## RESPONSIBILITIES

**Portland Gastroenterology Center**  
**161 Marginal Way**  
**Portland, ME 04101**

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**207-773-7964**  
**Fax:207-773-9073**